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6 **UNITED STATES DISTRICT COURT FOR THE**
7 **NORTHERN DISTRICT OF CALIFORNIA**

8 PETER STROJNIK,

9 Plaintiff,

10 vs.

11 R.F. WEICHERT V, INC. dba
12 JABBERWOCK INN,

13 Defendant.

14 Case No. 5:20-cv-00354-VKD

15 **DECLARATION OF PHILIP
STILLMAN IN SUPPORT OF
DEFENDANT'S ADMINISTRATIVE
MOTION FOR A STAY PENDING
RULING ON DEFENDANT'S MOTION
FOR A COSTS BOND**

16 Courtroom: 2, 5th Fl.

17 Hon. Virginia K. DeMarchi

DECLARATION OF PHILIP H. STILLMAN

I, Philip H. Stillman, hereby declare:

1. I am a member of the California State Bar in good standing, and counsel for Defendant in the above-captioned action. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would testify competently to them.

6 2. Strojnik filed a Second Amended Complaint that continues to properly allege
7 standing and fails to state claim. Accordingly, Defendant will file yet another Motion to
8 Dismiss the SAC. Moreover, on November 18, Strojnik filed a frivolous Motion for
9 Summary Judgment which is basically his frivolous SAC with a declaration. It is an overt
10 and not-even-disguised effort to force Defendant to spend more money in attorney's fees.
11 Obviously, Defendant will be opposing that Motion as well.

12 3. On Friday, November 19, 2021, I contacted Peter Strojnik and sought his
13 stipulation to the relief requested in this Administrative Motion. He not only refused, but
14 demanded \$4,000 in damages plus costs in response.

4. Accordingly, I prepared this Administrative Motion.

16 I declare under the penalty of perjury under the laws of the State of California and
17 the United States that the foregoing is true and correct. Signed this 21th day of November,
18 2021 at Miami Beach, Florida.

By:  Philip H. Stillman, Esq.

PROOF OF SERVICE

I, the undersigned, certify under penalty of perjury that on November 21, 2021, or as soon as possible thereafter, copies of the foregoing Administrative Motion for A Stay, the Declaration of Philip Stillman and Proposed Order were served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and via email to Plaintiff's email address listed with this Court.

By: /s/ Philip H. Stillman
Attorneys for RF WEICHERT V, INC.